

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 4:96-cr-00053-MR-1**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>OWEN ODMAN, a/k/a Charles</b>	)	
<b>Llewlyn,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** is before the Court on the Defendant’s “Motion for Reconsideration of Order Denying Motion for Resentencing and for Appointment of Counsel” [Doc. 847].

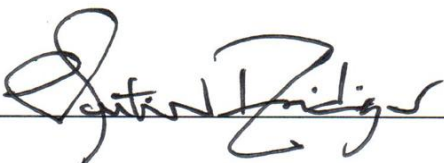
The Defendant moves for the Court to reconsider its Order denying him relief under the First Step Act of 2018 and denying his request for the appointment of counsel. The Defendant asserts that since he is eligible for relief pursuant to the First Step Act, the Court is required to conduct a “plenary resentencing,” citing United States v. Chambers, 956 F.3d 667 (4th Cir. 2020). Chambers, however, requires only that certain post-judgment changes in the law that have been deemed to be retroactive be accounted for in considering an appropriate reduction. The Defendant, in his Motion for

Reconsideration, seeks the re-examination of a multitude of issues that have previously been addressed in the Defendant's direct appeal, § 2255 motion to vacate, and many subsequent post-judgment motions, without regard to whether any of those issues pertain to a sentencing correction that has been deemed to be retroactive. The Defendant even argues that some of the evidence offered at his trial twenty years ago was false. None of the issues raised by the Defendant falls within the realm of those cognizable under the First Step Act. The Court previously examined and analyzed those issues pertinent to a First Step Act reduction. Upon review of the Defendant's motion, the Court finds no basis in fact or law to reconsider its prior Order.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Defendant's "Motion for Reconsideration of Order Denying Motion for Resentencing and for Appointment of Counsel" [Doc. 847] is **DENIED**.

**IT IS SO ORDERED.**

Signed: January 14, 2021

  
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Martin Reidinger  
Chief United States District Judge

